

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant,

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Chapter 7 Estate  
of Bernard L. Madoff,

Plaintiff,

v.

BANQUE INTERNATIONALE À LUXEMBOURG  
S.A. (f/k/a Dexia Banque Internationale à  
Luxembourg S.A.); RBC INVESTOR SERVICES  
BANK S.A (f/k/a RBC Dexia Investor Services Bank  
S.A.); RBC INVESTOR SERVICES TRUST (f/k/a  
RBC Dexia Investor Services Trust); BANCO  
INVERDIS, S.A., as successor in interest to RBC  
Dexia Investor Services España S.A.; and BANQUE  
INTERNATIONALE À LUXEMBOURG (SUISSE)  
S.A. (f/k/a Dexia Private Bank (Switzerland) Ltd.),

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation  
(Substantively Consolidated)

Adv. Pro. No. 12-01698 (CGM)

**STIPULATION AND ORDER TO ADJOURN  
ARGUMENT DATE FOR DEXIA DEFENDANTS' MOTION TO DISMISS**

**WHEREAS**, on April 12, 2022, the Court entered a stipulation and order setting a schedule for the Trustee to file his Amended Complaint and for briefing on Defendants' motions to dismiss the Amended Complaint (the "Motions"), ECF No. 129 (the "Briefing Stipulation");

**WHEREAS**, pursuant to the Briefing Stipulation, on June 30, 2022, the Trustee filed the Amended Complaint, ECF No. 134; on September 2, 2022, Defendants RBC Investor Services Bank S.A., RBC Investor Services Trust, and Banco Inversis, S.A. (as successor in interest to RBC Dexia Investor Services España S.A.) (collectively, the “RBC-Dexia Defendants”) filed their motion to dismiss the Amended Complaint (the “RBC-Dexia Motion”), ECF Nos. 136-138, and Defendants Banque Internationale à Luxembourg S.A. and Banque Internationale à Luxembourg (Suisse) S.A. (collectively, the “Dexia Defendants”) filed their motion to dismiss the Amended Complaint (the “Dexia Motion”), ECF Nos. 141, 143; and on November 1, 2022, the Trustee opposed the Motions, ECF No. 147;

**WHEREAS**, on November 30, 2022, the Court entered a stipulation and order adjourning the hearing on the RBC-Dexia Motion from December 14, 2022 to January 18, 2023, at 10:00 a.m. (prevailing Eastern time), ECF No. 149;

**WHEREAS**, pursuant to the Briefing Stipulation, on December 1, 2022, the RBC-Dexia Defendants filed their reply, ECF No. 155, and the Dexia Defendants filed their reply, ECF No. 157; and

**WHEREAS**, the Dexia Defendants and the Trustee have agreed to request that the hearing on the Dexia Motion also be adjourned from December 14, 2022 to January 18, 2023, at 10:00 a.m.;

**IT IS HEREBY STIPULATED AND AGREED**, by and between the Dexia Defendants and the Trustee by the endorsement of their counsel below, that the hearing on the Dexia Motion be adjourned from December 14, 2022 to January 18, 2023, at 10:00 a.m. (prevailing Eastern time).

Dated: December 5, 2022  
New York, New York

/s/ Howard L. Simon  
**Windels Marx Lane & Mittendorf, LLP**

Howard L. Simon  
Kim M. Longo  
Alan D. Lawn  
156 West 56th Street  
New York, New York 10019  
Telephone: (212) 237-1000  
hsimon@windelsmarx.com  
klongo@windelsmarx.com  
alawn@windelsmarx.com

*Special Counsel for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Chapter 7  
Estate of Bernard L. Madoff*

/s/ Jeff E. Butler  
**Clifford Chance US LLP**

Jeff E. Butler  
31 West 52nd Street  
New York, New York 10019  
Telephone: (212) 878-8000  
jeff.butler@cliffordchance.com

*Attorney for Defendants Banque Internationale  
à Luxembourg S.A. (f/k/a Dexia Banque  
Internationale à Luxembourg S.A.) and Banque  
Internationale à Luxembourg (Suisse) S.A.  
(f/k/a Dexia Private Bank (Switzerland) Ltd.)*

**SO ORDERED.**

**Dated: December 6, 2022  
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris  
U.S. Bankruptcy Judge**